

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

MICHAEL HODGE and CHRIS MACKEY,

Plaintiffs,

vs.

Civ. No. 99-561 DJS/WWD ACE

SGT. MARK RHOADS, OFFICER SHAW, OFFICER
PORTER, OFFICER PATTERSON, all in their
Individual and Official capacities as police officers
in Hobbs, New Mexico; CHIEF OF POLICE KNOTT
in his Official and Individual capacity; and THE CITY
OF HOBBS, NEW MEXICO,

Defendants.

MEMORANDUM OPINION AND ORDER

This matter comes before the Court upon Plaintiff's Motion to Compel Response to Interrogatory and Request for Production Regarding Training [docket no. 58]. Although the motion apparently was filed after the date for filing such motions, it appears that the delay may have been occasioned by Defendants' slow production of certain discovery materials. Defendants suggest that since they were willing to furnish the information and materials being sought that filing the motion to compel was not necessary. Hopefully, counsel for the parties have proceeded in a cooperative manner and this dispute has now been settled. I will at least allow for that possibility. Plaintiffs shall notify me by a letter sent by facsimile transmission on April 14, 2000, as to whether further consideration of the matters in the motion to compel is necessary. I strongly encourage counsel to resolve this matter between themselves.

WHEREFORE,

IT IS ORDERED that consideration of the aforementioned motion to compel be, and it is hereby, deferred until April 17, 2000.


UNITED STATES MAGISTRATE JUDGE